REMARKS/ARGUMENTS

1.)   Claim Amendments

Claims 1-30 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.)   Claim Rejections – 35 U.S.C. § 102(b)

Claims 1-30 stand rejected under 35 U.S.C. 102(b) as being anticipated by Epstein, *et al.* (U.S. Patent No. 6,023,510) ("*Epstein*"). Applicant respectfully traverses the rejection of claims 1-30.

For a rejection under 35 U.S.C. § 102 to be proper, "[t]he identical invention <u>must</u> be shown in as complete detail as is contained in the . . . claim," and "[t]he elements <u>must</u> be arranged as required by the claim." *Richardson v. Suzuki Motor Co.,* 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); M.P.E.P. § 2131 (emphasis added). *Epstein* fails to disclose the subject matter of the rejected claims *in as complete detail* and *as arranged* by the relevant claims.

I. Claim 1

For example, claim 1 recites:

> A method for provision of access for a data requesting entity to data related to a principal, comprising the following steps:
>   creating an access granting ticket comprising
>   (a) an access specification specifying a permission for an access to data related to the principal, said data being available at a data providing entity,
>   (b) a principal identifier representing the principal towards the data providing entity,
>   - encrypting the access granting ticket with an encryption key of the data providing entity,
>   - communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity,
>   -communicating from the data requesting entity to the data providing entity a request comprising the encrypted access granting ticket,

      - decrypting the encrypted access granting ticket with a decryption key of the data providing entity corresponding to the encryption key,

      - providing to the data requesting entity access to data related to the principal identifier according to the access specification.

Epstein fails to recite, explicitly or inherently, every element of claim 1 for at least several reasons. First, *Epstein* fails to disclose "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity." Second, *Epstein* fails to disclose "creating an access granting ticket comprising . . . (b) a principal identifier representing the principal towards the data providing entity." As explained further below, claim 1 is thus allowable for at least these reasons.

a. *Epstein* fails to disclose "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity."

      Claim 1 recites "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity." The Office Action attempts to equate a user terminal or public terminal described by *Epstein* with the "data requesting entity" recited by claim 1, and a "query" described by *Epstein* with the "encrypted access granting ticket" recited by claim 1. *See* Office Action at pp. 4-5. However, in attempting to address the above element of claim 1, the Office Action cites to a portion of *Epstein* that describes "formulating by the user of a query to be sent ***to the provider***." *Epstein* at col. 3, ll. 36-37 (emphasis added). Thus, the query in *Epstein* is formulated by the user and sent ***to the provider***. As a result, the cited portion of *Epstein* does not disclose "communicating ***to the data requesting entity*** the encrypted access granting ticket accompanied by an identifier of the data providing entity" (emphasis added).

      Additionally, the Office Action attempts to equate the information provider's public key with the "identifier of the data providing entity" recited by claim 1. *See* Office Action at p. 5. However, contrary to the Office Action's assertions, the cited portion of *Epstein* does not indicate that the information provider's public key can be used *to identify* the information provider, only that it can be used *to encode* the query. Thus, the

inofrmation provider's public key is not an "identifier of the data providing entity" as recited by claim 1. Consequently, the cited portion of *Epstein* fails to disclose "communicating to the data requesting entity the encrypted access granting ticket accompanied by ***an identifier of the data providing entity***" (emphasis added) for this reason as well.

Furthermore, even if the information provider's public key were an "identifier of the data providing entity" as recited by claim 1, the cited portion of *Epstein* describes the user terminal as transmitting the encoded query to the information provider but does not disclose the user terminal transmitting the information provider's public key to the information provider. Thus, the cited portion of *Epstein* fails to disclose "***communicating*** to the data requesting entity the encrypted access granting ticket accompanied by ***an identifier of the data providing entity***" (emphasis added) for this reason as well. Consequently, for at least several reasons, *Epstein* fails to disclose "communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity" *in as much detail* and *as arranged by* claim 1.

b. *Epstein* fails to disclose "creating an access granting ticket comprising . . . (b) a principal identifier representing the principal towards the data providing entity"

Epstein also fails to disclose "creating an access granting ticket comprising . . . (b) a principal identifier representing the principal towards the data providing entity" as recited by claim 1. In addressing this element, the Office Action attempts to equate a "user public key" and a "user random number" described by *Epstein* with the "principal identifier" recited by claim 1. In support of this mapping, the Office Action argues that "any transformed random number / public key that can *uniquely* identify a user is qualified as part of 'principle identifier' of the user . . . ." Office Action at p. 4. However, even assuming this assertion is correct, the cited portion of *Epstein* does not indicate that either the user public key or the user random number *can* uniquely identify the user. With respect to the user random number (RN), *Epstein* indicates that it identifies the specific query submitted by the user and/or the corresponding response package (RP)

generated by the provider, not the user who submitted the query. See, e.g., *Epstein* at col. 4, ll. 16-18 (". . . a random number sequence generated by the user for sole use in the query package . . ."); col. 7, ll. 20-22 ("The posted response package RP is found by the associated random number sequence RN . . .") With respect to the user public key, *Epstein* indicates only that the user's public key is used to "encrypt the symmetric key SymK-info . . . to form a second part of response package RP." *Epstein* at col. 7, 4-6. Indeed, as Applicant previously noted, *Epstein* repeatedly stresses that the query is intended to be anonymous. *See, e.g., Epstein* at col. 2, ll. 9-11. Thus, neither the user random number nor the user public key identify the user as alleged by the Office Action. Consequently, even under the mapping of the Office Action, *Epstein* fails to disclose "creating an access granting ticket comprising . . . (b) a principal identifier *representing the principal towards the data providing entity*" as recited by claim 1.

As a result, *Epstein* fails to recite every element of claim 1 in as much detail and as arranged by claim 1 for at least these reasons. Although of differing scope from claim 1, claims 12 and 28 include elements that are not disclosed by *Epstein* for at least reasons analogous to those discussed with respect to claim 1. Claims 1, 12, and 28 are thus allowable for at least these reasons. Applicant respectfully requests reconsideration and allowance of Claims 1, 12, and 28, and their respective dependent claims.

<u>II. Claim 19</u>

The Office Action improperly rejects claims 19 and 29 based on the language of claim 1. Claim 19, however, differs in wording from claim 1. Applicant respectfully notes that "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." M.P.E.P. § 2143.03 (*citing In re Wilson*, 424 F.2d 1382, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)). The Office Action completely fails to address elements recited by claim 19 such as "the receiving unit . . . to receive ***a further encrypted access granting ticket*** for provision of access to further data related to the principal, said further data being ***available at a further data providing entity***"

(emphasis added) and "the processing unit generates a first request . . . *__and a further__*
__request__" (emphasis added), and *Epstein* fails to disclose these elements.

As a result, *Epstein* fails to recite every element of claim 19 in as much detail and
as arranged by claim 19 for at least these reasons. Although of differing scope from
claim 19, claim 29 includes elements that are not disclosed by *Epstein* at least for
analogous reasons to those discussed with respect to claim 19. Claims 19 and 29 are
thus allowable for at least these reasons. Applicant respectfully requests
reconsideration and allowance of Claims 19 and 29, and their respective dependent
claims.

IV. Claim 22

Although of differing scope from claim 1, claim 22 includes elements that are not
disclosed by *Epstein* at least for analogous reasons to those discussed with respect to
claim 1. For example, *Epstein* fails to disclose a receiving unit "wherein the receiving
unit receives a request from a data requesting entity, the request comprising . . . *__a__*
__principal identifier representing the principal towards the data providing entity__"
(emphasis added) as recited by claim 22.

As a result, *Epstein* fails to recite every element of claim 22 in as much detail and
as arranged by claim 22 for at least these reasons. Although of differing scope from
claim 22, claim 30 includes elements that are not disclosed by *Epstein* for at least
reasons analogous to those discussed with respect to claim 22. Claims 22 and 30 are
thus allowable for at least these reasons. Applicant respectfully requests
reconsideration and allowance of Claims 22 and 30, and their respective dependent
claims.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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